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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

BERMAN, J

ART UNIT PAPER NUMBER

2506

DATE MAILED: 02/06/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/818,965

Applicant(s)  
Ishiyama

Examiner  
Jack I. Berman

Group Art Unit  
2506



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-12 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7, 10, and 11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Maarschalkerweerd. See line 66 in column 5 through line 27 in column 7. Note that annular seals 232 and 234 inherently constitute O-rings and must be made of an elastic material in order to function as seals.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

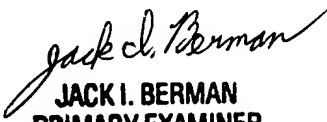
Claims 5, 6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maarschalkerweerd in view of Ellner et al.. While Maarschalkerweerd uses hydraulic means to reciprocate the cleaning means (scraper ring), Ellner et al. teaches that such cleaning means can also be reciprocated by a reversing motor with means for translating the rotation of the motor shaft to a linear motion. The use of Ellner et al.'s reciprocating means instead of Maarschalkerweerd's hydraulic means would have been an obvious substitution of equivalent parts, as would the use of a moving frame and rotating screw instead of Ellner et al.'s rack and

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gear arrangement to translate the rotation of the motor shaft to a linear motion. Such frame and screw arrangements are well known in the art.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maarschalkerweerd and Ellner et al. as applied to claims 5, 6, 8, and 9 above, and further in view of Wood. Wood teaches to mount a plurality of wipers (scraper rings) in a common frame 50 and to reciprocate all of them together. It would have been obvious to a person having ordinary skill in the art to apply this teaching to the Maarschalkerweerd apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jack Berman whose telephone number is (703) 308-4849.

  
**JACK I. BERMAN**  
**PRIMARY EXAMINER**  
**GROUP 2500**

jb

January 29, 1998